

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JOSE CARLOS DUARTE,

Plaintiff,

v.

PUB 106, INC., AND DANA COLBY,

Defendants.

**Civil Action No.
05-11725**

**PLAINTIFF'S MOTION FOR A COURT-ORDERED CONFERENCE REGARDING
DEFENDANTS' PAYMENT OBLIGATIONS PURSUANT TO DEFAULT JUDGMENT**

Through his attorneys, Plaintiff hereby requests that this Court order the parties to appear at a conference in order to discuss the defendants' obligations pursuant to the Court's default judgment. On April 20, 2006, this Court issued a default judgment against the defendants in the above-entitled matter in the amount of \$27,722.88. Plaintiff submits that a conference with the Court would be the most efficient method to ensure that the defendants comply with this judgment.

Holding such a conference is unquestionably within the Court's authority. Federal courts have the inherent power to enforce their judgments. *Peacock v. Thomas*, 516 U.S. 349, 356 (1996). This power must also extend to requiring attendance at conferences when such conferences will assist in the enforcement of the court's judgments and the orderly disposition of the court's cases. *See Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962) (Federal courts are vested with the inherent authority "to manage their own affairs so as to achieve the orderly and expeditious disposition of cases."); *Alameda v. Secretary of Health, Ed. and Welfare*, 622 F.2d

1044, 1047 (1st Cir. 1980) (District courts have the inherent “authority to require oral argument and attendance at conferences.”).

In this case, one conference with the Court could well save the Plaintiff months of effort in attempting to enforce the default judgment. Accordingly, Plaintiff respectfully requests that the Court exercise its authority to issue an order requiring the parties to attend a conference in this matter to discuss defendants’ obligations pursuant to the default judgment entered by the Court and to effect defendants’ compliance with that judgment.

Respectfully submitted,

JOSE CARLOS DUARTE,
By his attorneys,

s/Shannon Liss-Riordan
Shannon Liss-Riordan, BBO #640716
Hillary Schwab, BBO #(pending)
PYLE, ROME, LICHTEN, EHRENBURG
& LISS-RIORDAN, P.C.
18 Tremont Street, Suite 500
Boston, MA 02108
(617) 367-7200

Dated: May 17, 2006

CERTIFICATE OF SERVICE

I hereby certify that, on May 17, 2006, a copy of the above document was served by first class mail on Defendants Pub 106, Inc., and Dana Colby at 650 Plymouth Street, East Bridgewater, MA 02333.

s/Shannon Liss-Riordan
Shannon Liss-Riordan, Esq.